

Amendment and Response

Applicant: Roland Harend et al.

Serial No.: 10/848,927

Filed: May 19, 2004

Docket No.: I435.101.101/13233US

Title: METHOD AND DEVICE FOR CREATING DATA PACKETS IN A PACKET-BASED DATA-TRANSMISSION NETWORK

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed April 3, 2008. Claims 1-20 were rejected. With this Response, claims 2-4, 6, 10, 11, 14, and 16-20 have been amended. Claims 1-20 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102 and § 103

The Examiner rejected claims 1, 2, 4-7, 10-17, 19, and 20 under 35 U.S.C. § 102(e) as being anticipated by the Wiedeman U.S. Patent Application Publication No. 2002/0031103.

The Examiner rejected claims 3 and 18 under 35 U.S.C. § 103(a) as being unpatentable over the Wiedeman U.S. Patent Application Publication No. 2002/0031103, and further in view of the Gemmell U.S. Patent No. 6,678,855.

The Examiner rejected claims 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over the Wiedeman U.S. Patent Application Publication No. 2002/0031103, and further in view of the Wilford U.S. Patent No. 6,687,247.

Amended independent claims 1 and 16 include limitations related to after setting up a connection, a main processor creates the packet data only for a first data packet, and stores the packet data of this first data packet as memory packet data. The other data packets (i.e., subsequent data packets) are no longer created by the main processor. Instead, an auxiliary processor uses the stored memory packet data to create the packet data for the other data packets at least partly from the memory packet data of the first data packet.

The Wiedeman et al. Publication does not teach or suggest these recited limitations of amended independent claims 1 and 16 related to the interaction of a main processor and an auxiliary processor. Specifically, the Wiedeman et al. Publication does not teach or suggest after setting up a connection, a first data packet of this connection is created by a main processor and stored as memory packet data, and the packet data of the other (i.e., subsequent) data packets of the same connection are created by an auxiliary processor at least partly from the same memory

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packet data that have been previously stored for this connection as recited in amended independent claims 1 and 16.

The above recited features of amended independent claims 1 and 16 which are not taught or suggested by the Wiedeman et al. Publication permit embodiments of the invention where the main processor is only responsible for creating the packet data of the first data packet. In this way, the main processor can be employed for other tasks after the packet data of the first data packet have been created. The auxiliary processor is responsible for creating the packet data of the other subsequent data packets based on the packet data of the first data packet.

In view of the above, the Wiedeman et al. Publication does not teach or suggest all of the limitations of amended independent claims 1 and 16. Furthermore, dependent claims 2-15 further define patentably distinct amended independent claim 1, and dependent claims 17-20 further define patentably distinct amended independent claim 16. Therefore, these dependent claims are also believed to be allowable.

Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 102 and § 103 rejections to the claims, and requests allowance of claims 1-20.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-20 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-20 are respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Dicke, Billig & Czaja
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402

Respectfully submitted,

Roland Harend et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2003
Facsimile: (612) 573-2005

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/Patrick G. Billig/
Patrick G. Billig
Reg. No. 38,431